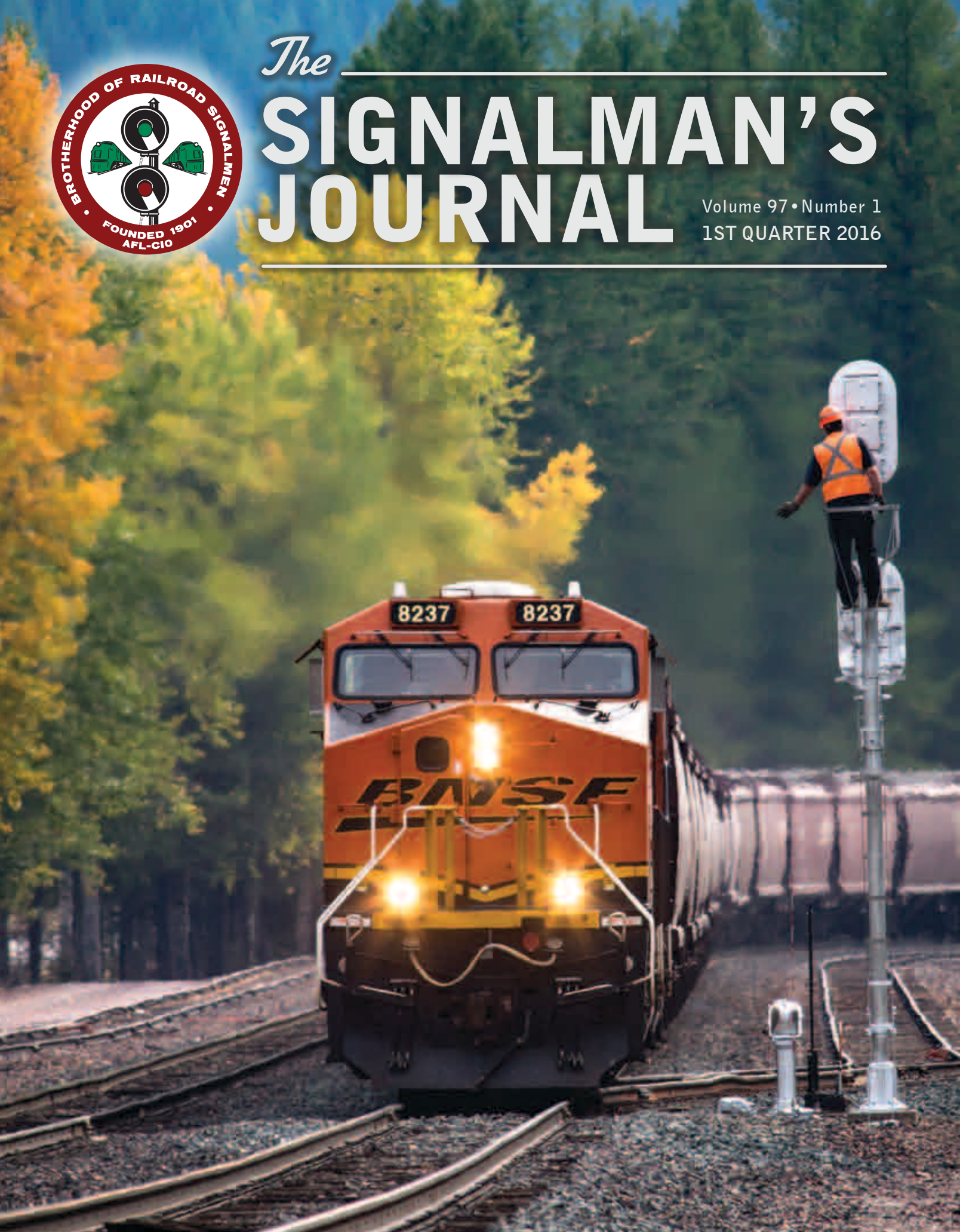




The SIGNALMAN'S JOURNAL

Volume 97 • Number 1
1ST QUARTER 2016



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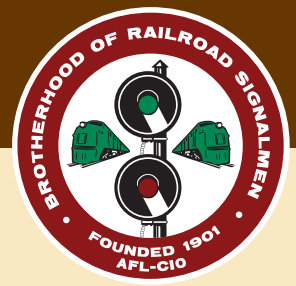
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FEATURES:



Strike Shuts Down Train Service Here

Article Reprint —

As of May 17, 1971, the strike by the Brotherhood of Railroad Signalmen was the fourth nationwide rail walkout in 50 years. The BRS was asking for an increase in the \$3.78 hourly wage for skilled Signalmen 4

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COVER: Pictured is Signal Maintainer Greg Speas, a member of Local 87, working on a gorgeous autumn day in Essex, Montana.

Photo submitted by: Scott Marksbury, Signal Inspector and member of Local 87, Columbia Falls, Montana.



Union Participation

As the President of this Organization for the past 23 years, I have taken advantage of every available means to try and improve the working conditions of Signalmen, and I have made every effort to provide their families with a higher standard of living. But I am not alone in my quest to fulfill these commitments; every member of the Executive Council, and my staff at Grand Lodge, helps me shoulder this responsibility by striving to perform at the highest level in promoting our craft and representing our members' interests. That is what our members deserve, and it is our responsibility to meet that standard. If we don't, then each one of us is held accountable. I hold my staff accountable for their performance on a daily basis, and the membership holds the elected Officers at Grand Lodge accountable for their performance every four years at Convention.

The responsibility for advancing the interests of Signalmen does not end at Grand Lodge. The leadership at the General Committee level is accountable for negotiating and interpreting agreements, and ensuring that the members of each Local within its jurisdiction receive competent and professional representation. In addition to promoting our craft and developing members' confidence in our Organization, the leaders at this level have a duty to appeal Local claims and grievances within the framework of the Collective Bargaining Agreement (CBA) and to strongly advocate the Local's position at the bargaining table.

Similarly, leadership at the Local level has the responsibility to ensure that every member receives competent representation at Investigations. They also have an obliga-

tion to air disputes arising from the interpretation of the CBA, and to present a timely claim if a dispute cannot be resolved. In addition, the leaders at this level are the members' first point of contact within our Organization,

and as such, they have a duty to promote our craft in an atmosphere that fosters solidarity and builds confidence in our Union.

The responsibilities of this Organization's leadership are easily defined

at every level, and everyone who holds a leadership position is obligated to work hard and represent the members to the best of their ability. Should they fail to meet this threshold, the membership has the right to hold them accountable and elect new representation to better advance the interests of the Brotherhood.

But, the responsibility for our continued success does not end with this Organization's leadership. The only way we grow stronger and become more effective in advocating for our cause is for the membership to take an active role, and participate in our Union at every level — that means policing their agreements, attending Local meetings and voicing their issues and concerns, knowing the qualities of the candidates seeking office and participating in elections, understanding issues and participating in surveys related to bargaining, and most importantly, supporting each other in our struggle to improve the working conditions and livelihoods of Signalmen.

The membership of this Organization also has a responsibility to their employer that some seem to have forgotten. As President, my expectations for our membership in this regard, are — all members have a responsibility to treat their fellow workers with dignity and respect and to exhibit a good work ethic by performing their duties

The only way we grow stronger and become more effective in advocating for our cause, is for the membership to take an active role, and participate in our Union at every level.

efficiently, and with integrity — all members have a responsibility to work hard during their assigned duty hours and to only compensate themselves for the hours that they have worked — all members have the responsibility to take advantage of every opportunity to learn the Craft and to pass on any knowledge gained to their fellow workers — all members holding a leadership role within the Craft have the responsibility to teach the Craft to those in their charge in a dignified and respectful manner — all members have a responsibility to work safely and to intervene when they see any of their fellow workers making bad decisions in this regard — and, all members have a responsibility to ensure that the signal system moves the Nation's passengers, and its freight, safely and efficiently.

To professional Signalmen, the responsibilities I have outlined above amount to little more than common sense, and they will make themselves accountable for ensuring that these responsibilities are met. To those

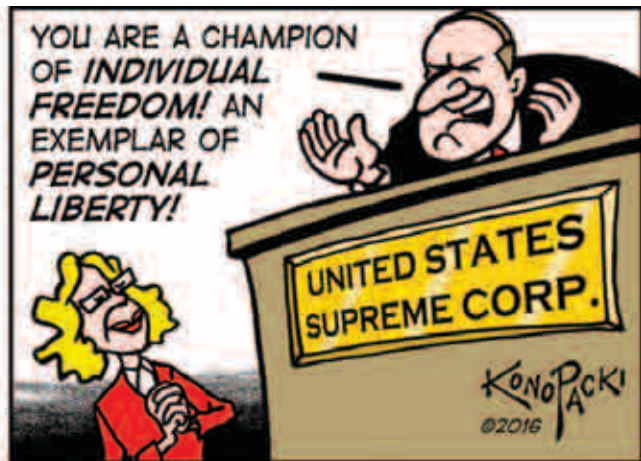
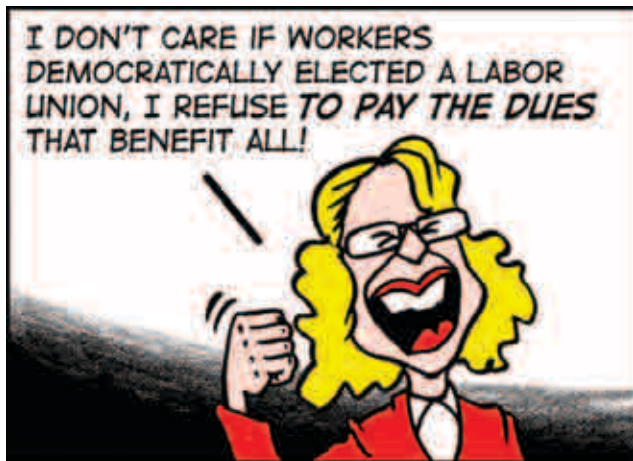
who refuse, or fail, to fulfill the responsibilities I have outlined, they are putting their career at risk and could ultimately be held accountable by their employer.

In closing, each of us has a responsibility to this Organization, to ourselves, and to our families to perform our duties in a manner that is consistent with our values and improves our ability to build a better future for Signalmen.

In Solidarity,

W. Dan Pickett

W. Dan Pickett
BRS President



Freight No. 285 to Atlanta Last to Leave Strike Shuts Down Train Service Here



MAY 1971 — The President of the United States, Richard M. Nixon, today called on the Congress to halt a walkout of railroad

signalmen which was fast closing down most of America's vast rail systems.

Nixon's plea was that the period for negotiations between rail management and the striking signalmen be extended until July 1.

Even as the chief executive acted the very carriers he had in mind were ceasing operations, down to the local level. It was a bitter pill for the nation's rail passenger service which has been in effect only since May 1 under the name AMTRAK.

In Hamlet, effects of the strike were far-reaching. Pickets began taking their places shortly before 8 a.m., the first lines being thrown up in the general area of the diesel shops and hump yards.

But it was after 8 when the first striker began strolling along the Main St. crossing near the SCL passenger station. He identified himself as "Red" Lockamy of Sanford, a signal maintainer.

Only one newsman was in sight as Lockamy drove up, parked his car in front of the long-closed Purity Café, donned his picket sign and began walking back and forth, by himself.

He told a reporter that he was still recovering from injuries to his right knee, which he hurt last December

while in the line of duty.

Shortly, Lockamy was joined by two other SCL employees who were reporting in to take exams from Trainmaster W.J. Cooke. They were followed by union official W. W. Gunter, who chatted with Special Agent Kent Hicks and with J.W. Looney, a road foreman of engines for the railroad.

Other arrivals included a telegraph operator, Oscar Lee, and a ticket agent Mrs. Helen Bryson.

It was too late for Mrs. Bryson to go to work, one man pointed out, even as Lee explained he went on the job as was the setup when no picket line was actually in operation.

Hicks talked with Lockamy and Mrs. Bryson, while Gunter had a conversation with Looney.

There was some mention made of the exams to be given by Cooke to possibly be conducted at the Union hall nearby, or at least for Cook to talk with those concerned, at the same place.

Outside the hall, a cluster of railroaders chatted quietly, among them a



MY NAME'S WOODROW GUNTER,' says railroad brotherhood official W.W. Gunter of Hamlet, as he shakes hands with "Red" Lockamy of Sanford, a striking railroad signal maintainer, Lockamy was called in to help man Seaboard Coast Line Railroad picket lines in Hamlet. At center, background, are two SCL employees who had been scheduled to take exams under trainmaster W.J. Cooke at 8 a.m., but they left because the picket line went into effect. --- Staff photo by Roger Simmons.

union secretary, Wade Weatherly, and an electrician, Ed Lamb. Everybody seemed to be in a light mood and there was no hint of anything harsh ahead in the serious game of labor and management problems.

As for the trains, all the passenger trains (numbers 21 and 22, also 57 and 58) were long gone from Hamlet. Ahead lay only the freight runs, two of which came within a few minutes time. They were identified as schedules 190 from Florence and 477 from Wilmington.

It was learned that probably the last freight out of Hamlet today (and possibly until the strike ends)

would be number 285, westbound with about 150 cars for Atlanta and Birmingham.

At 1 p.m. today, the Associated Press was reporting that the signalmen's strike has paralyzed the nation's railroad system, while noting that Congressional leaders were doubtful that action could be taken today to end the walkout.

That was the word from both Democrat Senator Mike Mansfield of Montana, the Senate majority leader, and from Carl Albert of Oklahoma, Mansfield's counterpart in the House.

C.J. Chamberlain, president of the AFL-CIO Brotherhood of Railroad Signalmen, said in advance he would obey any act of Congress.

The union is asking for a 54 per cent increase over three years in wages averaging \$3.78 hourly for skilled signalmen. The railroads offered a 42 per cent increase in 42 months.

The signalmen install and maintain electrical railroad signals. Chamberlain said the union's demand for extra pay is an "equity adjustment" aimed at raising their wages closer to the wages paid electricians outside the railroad industry.

Secretary of Labor James Hodgson said the union was demanding more money than most other rail unions had settled for. He added:

"It is incredible that the half million employees of the rail industry should find themselves out of work and that millions of Americans should be subjected to service disruptions by this action taken by a relatively few employees."

Other large unions respected the picket lines of the 13,000 member

signalmen's union which represents about two per cent of all rail workers.

As the President's proposal went to Congress there was a question how soon it could be acted upon. Only routine business had been scheduled for today and many members were not present.

In a message to the Congress, made public at the Florida White House in Key Biscayne, Nixon said:

The signalmen install and maintain electrical railroad signals. Chamberlain said the union's demand for extra pay is an "equity adjustment" aimed at raising their wages closer to the wages paid electricians outside the railroad industry.

"A nationwide stoppage of rail service would cause great hardship to all Americans and strike a serious blow at the nation's economy. It is essential that our railroads continue to operate."

The President called on the Senate and House to promptly pass a joint resolution that, technically, would have the effect of extending until July 1 the present contract between the rail industry and the signalmen.

Nixon said Secretary of Labor James D. Hodgson would work during that period toward promoting a voluntary settlement. In the absence of a negotiated agreement, he called on Hodgson "to report to me and the Congress by June 21."

Press Secretary Ronald L. Ziegler noted this was the third time Nixon has gone to Congress for hurry-up legislation to avert or halt a coast-to-coast rail shutdown.

"The Congress has been responsive on this in the past," said Ziegler, adding that if the Senate and House act today, *"very likely the railroads would be operating normally tomorrow."*

Pending any congressional action to halt the rail strike, Nixon also signed an executive order listing priorities "as guidance and instructions to federal agencies, to shippers and to carriers" on what goods should be shipped first. These included foods, drugs and medical supplies, fuels needed for electric power production and some categories of mail.

Congress had made no special plans to handle the strike before it recessed for the weekend, and it was an open question how soon any legislation could be passed. It took a midnight session to put a stop to a one-day nationwide walkout by four other unions last December.

Today's strike by the AFL-CIO Brotherhood of Railroad Signalmen is the fourth nationwide rail walkout in 50 years. Although the 13,000 signalmen represent only two per cent of all rail workers, other large unions appeared to be honoring their picket lines as they spread across the country, starting at 6 a.m. local time in each time zone.

By 9 a.m. EDT a spokesman for the Federal Railroad Administration reported "a pretty well shutdown situation" as far west as Chicago, and predicted the rail industry would be at a virtual halt across America by noon.

continued on page 6



Freight No. 285 to Atlanta Last to Leave Strike Shuts Down Train Service Here

First to feel the strike were morning rail commuters in New York, Chicago and other large cities. New York's state-owned Long Island Rail Road was still running because it bargains locally, but all other commuter and intercity passenger trains were affected, along with freight service. No exemptions were made for military cargo or perishable goods.

In Key Biscayne, Fla., where President Nixon was winding up a weekend sojourn, White House sources said Secretary of Labor James D. Hodgson was preparing legislation to send to Congress, probably by the end of the day.

Senate Republican Leader Hugh Scott of Pennsylvania said Hodgson telephoned to say that the administration would submit emergency legislation sometime this morning.

There were spotty reports of some trains operating despite the strike. Chicago's South Shore and South Bend Rail Road was running because its signalmen belong to a different union. Missouri Pacific supervisory personnel manned skeleton crews in Little Rock, Ark., to continue operations there.

Supervisory personnel were being used to move livestock and perishable items, some railroads reported. The strike came despite government efforts to mediate a settlement between the union and the National Railway Labor Conference.

Hodgson, who announced at 12:30 a.m. that talks had collapsed and the union would go through with its strike threat, said the department would continue efforts to mediate. No further

bargaining sessions were scheduled, however.

Labor Secretary James D. Hodgson, who announced the shutdown in a 1:30 a.m. news conference, said the department would continue its efforts to mediate a settlement. But he did not mention any scheduled further bargaining sessions.

***Today's strike by the
AFL-CIO Brotherhood
of Railroad Signalmen
is the fourth nationwide
rail walkout in 50 years.***

"We will act and act swiftly," he said.

Asked if other means might be used to halt the strike, Hodgson said "All other efforts available to the department have been exhausted at this time." He did not elaborate.

Money was the cause of the breakdown in the marathon talks, Hodgson said, adding that progress had been made in settling nonwage differences. The union had asked for 54 per cent increase spread over 36 months in the \$3.78 hourly wage for skilled signalmen.

Management said it favored a formula, recommended by the emergency board the President convened at the start of the cooling off period, for a 42 per cent increase in 42 months.

Neither the union's final demand nor management's offer was known.

The strike means no train service for 300,000 commuters in New York, Chicago and other big cities. In Philadelphia transit officials planned a strike headquarters to answer telephone calls from stranded train commuters, and prepared to handle them on buses, trolleys and subways.

A strike also means no service for 55,000 daily riders on intercity trains run by the fledgling Amtrak Corp., which took over nearly all passenger trains May 1. It also stops service on the two non-Amtrak runs, between Washington and New Orleans and between Denver and Ogden, Utah.

And a strike stops freight service. The signalmen announced no special treatment for perishable cargoes, livestock or military goods, categories shown at least token consideration in past disputes.

Article reprinted with permission of the Richmond County Daily Journal

For more than 84 years, The Richmond County Daily Journal has served the people of Rockingham, North Carolina as their primary source of news.

The Daily Journal traces its heritage back to 1931, when Scott M. Thomas began the Richmond County Journal. The first issue was dated September 8, 1931.

New Jersey Transit Rail — Strike Averted

The New Jersey Transit Rail Labor Coalition, consisting of 11 Unions representing over 4,200 New Jersey Transit (NJT) employees, reached a Tentative Agreement with NJT on Friday, March 11, 2016. This Tentative Agreement allowed the state to avert its first transit strike in 33 years; that strike lasted for 34 days.

The New Jersey Transit Rail Labor Coalition fought long and hard to get its members an Agreement after being without one since 2011. The Coalition battled

through two Presidential Emergency Boards (PEB) which were appointed by President Barack Obama. Both PEBs sided with the Union members, and supported a wage increase totaling 17% over a six-year term and health insurance contributions of 2.5% overall.

The Tentative Agreement that was reached by NJT will provide a wage increase of 23.2% compounded over 8½ years with a 2.5% health insurance contribution.

The Tentative Agreement must be ratified with the members of BRS Local 84.

New Jersey Transit Rail Labor Coalition members include: American Train Dispatchers Association (ATDA), Brotherhood of Locomotive Engineers and Trainmen (BLET/IBT), Brotherhood of Maintenance of Way Employees Division (BMWED/IBT), Brotherhood of Railroad Signalmen (BRS), International Association of Machinists and Aerospace Workers (IAMAW), International Brotherhood of Boilermakers (IBB), International Brotherhood of



Electrical Workers (IBEW), National Conference of Firemen & Oilers (NCFO-SEIU), Sheet Metal, Air, Rail and Transportation (SMART), Transport Workers Union of America (TWU), and Brotherhood Railway Carmen Division (TCU/IAM). ■

IRS Announces 2016 Standard Mileage Rates

Effective January 1, 2016, the standard mileage rate set by the Internal Revenue Service will be 54 cents per mile. The new rate compares to a rate of 57.5 cents per mile in 2015. ■

Stamp Out Hunger Food Drive

FEEDING AMERICA'S HUNGRY — HOW YOU CAN HELP

Ever want to help set a world record? You can, while at the same time you can help your neighbor, the older couple down the block, your children's friends at school, or the family of the soldier serving overseas.

We have the chance to do it with the "2016 Letter Carrier Stamp Out Hunger Food Drive," on Saturday, May 14.

First, the "world record" claim. After much research, including a notice from representatives of Guinness World Records, we now know that the National Association of Letter Carriers (NALC) owns the current record to beat. The 77.1 million pound food collection total reached in 2011 is considered the number to surpass for any other group or organization holding a one-day food drive (conducted at multiple locations).

On Saturday, May 14, 2016, the NALC will work to "Stamp Out Hunger" during its annual national food drive. So with a serious collective effort, the 2016 Letter Carrier Food Drive could set a new world record.

It's easy for you to make a difference. Simply place non-perishable, non-breakable food items near your mail box for your letter carrier to pick up on May 14th.

Over the last 23 years, this drive has successfully helped feed the hungry in over 10,000 towns and cities across America. Food banks literally circle the second Saturday in May on their calendars because they know NALC workers will be filling their shelves with much needed donations. All donations stay within the local area where they are donated. And, with the need for food assistance at an all-time high, union workers and their families are encouraged to support NALC in this effort to help others.

While being part of a world record setting is an exciting and admirable objective, this food drive began with, and has continued to work toward, a singular goal over the years, to help those in need in our own communities. Remember, the people who need help are not unlike your own family, immediate or extended. They are working families, the elderly and children. They are the families of those actively serving in the military. They

are single parents, grandparents raising grandchildren, parents dealing with a child's serious health condition, and families in which a parent has lost a job. These are folks doing everything "right," often working more than one job, but still unable to make ends meet.

The NALC began preparing its 2016 food drive efforts well before the 2015 haul was stacked on food pantry shelves. This mammoth food drive, NALC's national day of giving, takes more than a full year to plan and organize. It's one of the toughest days of the year, but it's also one of the most gratifying. Each bag of donations represents a meal for a family in need. ■



DID YOU KNOW?

Title 49: Transportation

§ 236.101 PURPOSE OF INSPECTION AND TESTS; REMOVAL FROM SERVICE OF RELAY OR DEVICE FAILING TO MEET TEST REQUIREMENTS

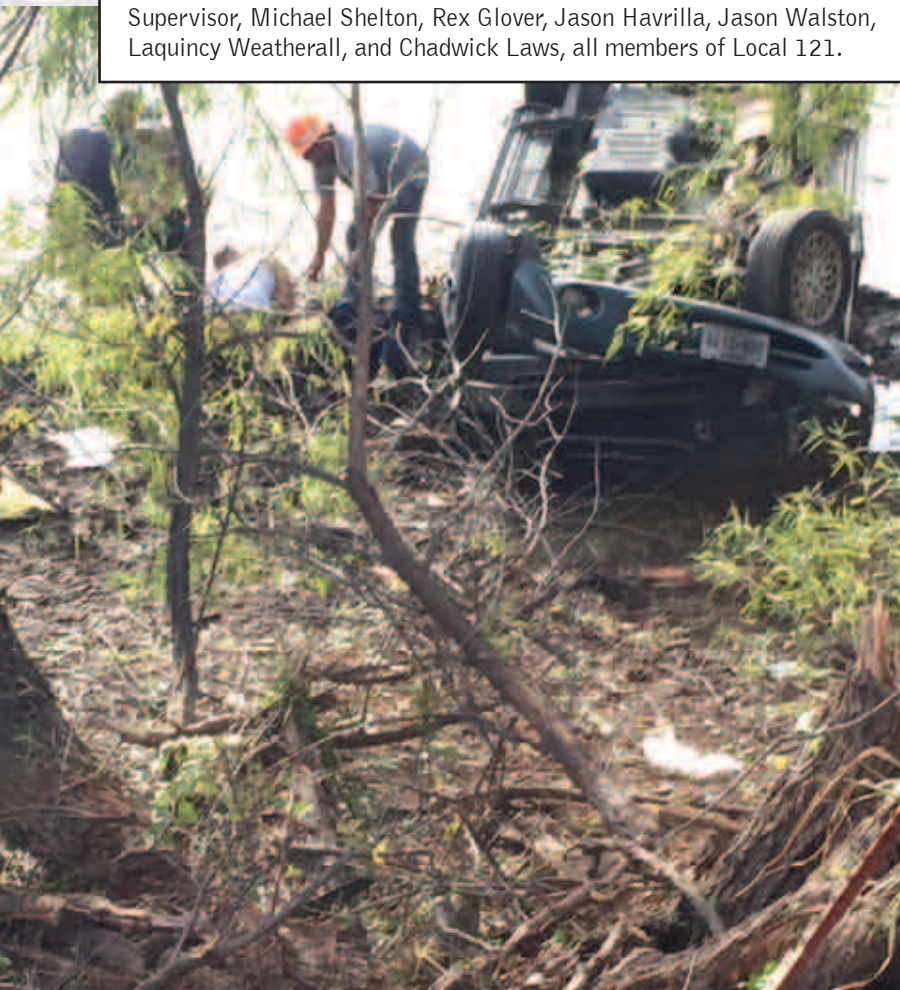
The following inspections and tests shall be made in accordance with specifications of the carrier, subject to approval of the FRA, to determine if the apparatus and/or equipment is maintained in condition to perform its intended function. Electronic device, relay, or other electromagnetic device which fails to meet the requirements of specified tests shall be removed from service, and shall not be restored to service until its operating characteristics are in accordance with the limits within which such device or relay is designed to operate. ■

Signal Gang

..... *to the Rescue*



Signal Gang 26023, L-R: Dwayne Tiffin, General Construction Supervisor, Michael Shelton, Rex Glover, Jason Havrilla, Jason Walston, Laquincy Weatherall, and Chadwick Laws, all members of Local 121.



Also recognized were safety assistants Robert Pippin (Local 129) and Cody Curlee (Local 121) for their recent efforts in providing CPR/ First Aid Training for the signal crew and the entire Texas/Gulf Signal Department.

Signal Gang 26023, working on the Gulf Division, Lampasas Subdivision near Goldsboro, Texas, were in the middle of a normal day's work when they heard the unmistakable sounds of a nearby motor vehicle accident. Jason Havrilla of Local 121, was the first to make his way to the nearby crash site, and found an overturned vehicle with the driver trapped inside. Brother Havrilla proceeded to assist in removing the driver from the damaged vehicle, by cutting away the seatbelt. Once the injured motorist was extricated from the vehicle, Brother Havrilla and Brother Rex Glover, also a member of Local 121, began applying pressure to the motorists head wound, using Jason's shirt. Both Jason and Rex took turns applying pressure to the motorists head wound, until police and medical personnel arrived on the scene.

Other members of the Signal Gang helped control the scene by guiding first responders to the site, while Jason and Rex assisted the motorist. The injured driver was later airlifted to an Abilene hospital for further medical treatment.

The Signal Gang's quick response and control of the accident scene received praise from local law enforcement. ■



Fatality Analysis of Maintenance-of-way
Employees and Signalmen

FAMES

SAFETY ALERT: Roadway Worker Good Faith Challenge

This Alert highlights the life-saving importance of a good faith challenge and the absolute right of every roadway worker to initiate such a challenge.

The purpose of a good faith challenge is straightforward:
To provide roadway workers with a non-punitive mechanism for raising and resolving on-track safety concerns so the work can be performed safely.

A good faith challenge is an opportunity to jointly resolve any on-track safety concerns; it is not a confrontation with your foreman or railroad management. An on-track safety briefing^[1] is the first opportunity to make a good faith challenge; however, a challenge can be made at any time. The vast majority of challenges are promptly and fairly resolved between the challenging employee(s) and the Roadway Worker-in-Charge at the job site.

Roadway Worker Protection is governed by Federal Railroad Administration (FRA) regulations, 49 CFR 214, Subpart C, which provides for the good faith challenge procedure. Each railroad has implemented a program under the regulation which affords on-track safety to all roadway workers who perform duties on or in proximity to a track. Each railroad's program must spell out the good faith challenge procedures and the roles and responsibilities of employers and employees in the prompt and equitable resolution of challenges.

The FRA regulation provides, in part:

- **§214.311(b):** Each employer shall guarantee each employee the absolute right to challenge in good faith whether the on-track safety procedures to be applied at the job location comply with the rules of the operating railroad, and to remain clear of the track until the challenge is resolved.
- **§214.311(c):** Each employer shall have in place a written procedure to achieve prompt and equitable resolution of challenges made in accordance with

§§214.311(b) and 214.313(d).

- **§214.313(d):** Each roadway worker may refuse any directive to violate an on-track safety rule, and shall inform the employer in accordance with §214.311 whenever the roadway worker makes a good faith determination that on-track safety provisions to be applied at the job site do not comply with the rules of the operating railroad.

Labor, Management, and FRA fully support a roadway worker's absolute right to initiate a good faith challenge without fear of retaliation or discipline. FAMES reminds roadway workers and supervisors that the good faith challenge process begins when an employee raises an on-track safety concern.

Recommendations:

- Employees should remain clear of track until the challenge is resolved.
- All roadway workers should know where to access the railroad's good faith challenge procedures and understand the resolution process.
- Roadway workers should periodically review the good faith challenge procedures at on-track safety briefings.
- Supervisors and co-workers should actively encourage the use of the good faith challenge.
- Employers should periodically review their on-track safety program to identify and remove any administrative or procedural barriers to the utilization of the good faith challenge.
- While the good faith challenge is specific to Roadway Worker Protection, the FAMES Committee encourages the use of similar concepts to resolve other safety issues. ■

Remember:

If you are uncertain about your safety, trust your instincts; make a good faith challenge.
You may be saving your life or the life of a co-worker.

[1] The FAMES Committee found that insufficient or nonexistent on-track safety briefings or re-briefings were possible contributing factors in 19 (46%) of the analyzed fatalities.



James Posada

Signal Maintainer Posada *Saves Motorist*

On January 12, 2016, at 5 a.m., a track indication alert called Signal Maintainer James Posada to Tower 71 in Houston, Texas.

On his way to inspect the circuit, Brother Posada waited for a passing train

on Collingsworth Street and noticed a blaze on the other side. After the train passed, he saw the fire coming from a wrecked vehicle with a buckled hood.

"My first reaction was to make sure nobody was inside," he said.

Seeing an outstretched hand from the driver's side window, Posada sprang into action.

As the vehicle caught on fire, Posada pulled a man from the vehicle before it became fully engulfed in flames.

He safely rescued a man from the burning vehicle and waited for emergency crews.

Brother James Posada is a Local Chairman and Member of Local 99. ■



BRS411.org Goes Live

The Brotherhood of Railroad Signalmen created a website for searching arbitration awards at www.brs411.org. This site is available to BRS officers, members, and sister unions to search for awards of interest. The online BRS Award Library is 99% complete with the NRAB's First, Second, Third, and Fourth Division awards^[1]. We expect the Award Library to be complete by June. Awards issued by Special Boards of Adjustment and Public Law

Boards are not currently available on the site, but those will be added in coming months.

Access to the online BRS Award Library requires a login name and password, which can be obtained by requesting access via email to Vice President Kelly Haley at kelly@brs.org. ■

[1] The Railway Labor Act was amended in 1934 to establish the National Railroad Adjustment Board (NRAB) to provide for mandatory binding arbitration of disputes and claims arising out of the interpretation or application of agreements. Disputes from the BRS are resolved in the NRAB's Third Division.



- **Long-Awaited, Long-Term Surface Transportation Authorization Bill Signed Into Law**
- **Congress, President Enact Combined Omnibus Appropriations and Tax Extenders Bill**

Long-Awaited, Long-Term Surface Transportation Authorization Bill Signed Into Law

H.R.22: Fixing America's Surface Transportation (FAST) Act was signed into law on Friday, December 4, 2015, by President Obama during a signing ceremony at the White House. The committee report was filed in the House of Representatives on Tuesday, December 1, 2015, and passed by a vote of 359–65 on Thursday, December 3, 2015. Later that day, the bill was brought to the Senate where it passed that night by a vote of 83–16. The Act is a five-year authorization for surface transportation programs, fully funded through September 2020. The total authorized funding for Federal Transit Administration (FTA) programs increases to \$11.789 billion in Fiscal Year (FY) 2016 and rises to \$12.592 billion by FY2020, or \$61.113 billion over the life of the bill. This represents a 10.23 percent increase in year one, and 17.74 percent by FY2020. The General Fund portion of the authorization increases by 16.28 percent in FY2016 and will remain flat for the remainder of the Authorization bill.

This is the first long-term surface transportation authorization since SAFETEA-LU was passed in 2005. Of the two bills passed by the House and the Senate, the authorization more closely reflects the higher levels contained in the Senate-passed DRIVE Act. However, all five years of the bill are fully funded, unlike the Senate-passed bill. It is the first law enacted in over ten years that provides long-term funding certainty for surface transportation, meaning States and local governments can move forward with critical transportation projects, like new highways and transit lines, with the confidence that they will have a Federal partner over the long term. DOT Secretary Anthony Foxx and his team have worked tirelessly to advocate for a long-term bill, underscoring the needed sense of urgency to the American people.

Secretary Foxx said, *“After hundreds of Congressional meetings, two bus tours, visits to 43 states, and so much uncertainty — and 36 short term extensions — it has been a long and bumpy ride to a long-term transportation bill. It’s not perfect, and there is still more left to do, but it reflects a*

bipartisan compromise I always knew was possible.”

Overall, the FAST Act largely maintains current program structures and funding shares between highways and transit. It is a downpayment for building a 21st century transportation system. The law also makes changes and reforms to many Federal transportation programs, including streamlining the approval processes for new transportation projects, providing new safety tools, and establishing new programs to advance critical freight projects.

Some of the provisions include:

- Increases transit funding by 18% and highway funding by 12% over five years and provides the certainty that states and localities have been calling for in order to commit to long-term projects.
- Mandates new rules to be issued by the FTA to address bus driver and train operator assaults — a major problem plaguing this industry.
- Increases domestic content requirements in FTA rolling stock from 60 to 70 percent by 2020 and provides technical assistance grants to help agencies meet Buy America requirements.
- Section 13(c) transit labor protections and Davis-Bacon protections are maintained.
- Commuter railroads will receive almost \$200 million to install Positive Train Control technology in FY2017.
- Removes language that would link the federal government’s collection of port productivity data to the expiration of collective bargaining agreements and to labor-management disputes.
- An Amtrak Reauthorization bill that provides the carrier with stable funding, provides important protection for food and beverage workers and rejects massive privatization mandates.

“After ten years of short-term band-aids and extensions, Congress will finally pass a long-term, bipartisan surface transportation bill that will begin to deal with our aging

network of roads, bridges, and transit systems,” said House Transportation and Infrastructure Committee Ranking Member Peter DeFazio (D-OR). “*This is a common-sense, bipartisan bill that provides our state and local governments with the certainty they need to begin to plan for long-term projects that bring our aging system into the 21st Century...*”

Congress, President Enact Combined Omnibus Appropriations and Tax Extenders Bill

On December 18, 2015, the U.S. House of Representatives passed a \$1.1 trillion Omnibus Appropriations bill by a vote of 316–113. In the previous day’s working session, the House had passed a \$680 billion tax extenders package. Under the Rule adopted for consideration of the bill, separate votes on each element were held, but the process sent both to the Senate as a combined package. The combined package was later passed in the Senate by a vote of 65–33. The President signed the bill into law on the same day.

H.R.2029: Consolidated Appropriations Act, 2016 provides FY2016 full-year appropriations through September 30, 2016, for all agencies.

Omnibus — In total, the bill provides \$57.6 billion for the Transportation-HUD portion of the omnibus, \$3.8 billion higher than FY2015 levels. The discretionary appropriations for the Department of Transportation (DOT) reaches a level of \$18.7 billion, or an increase of \$847 above FY2015 enacted levels. Included in the spending package is \$500 million for National Infrastructure Investments (previously TIGER grants), maintaining FY2015 levels.

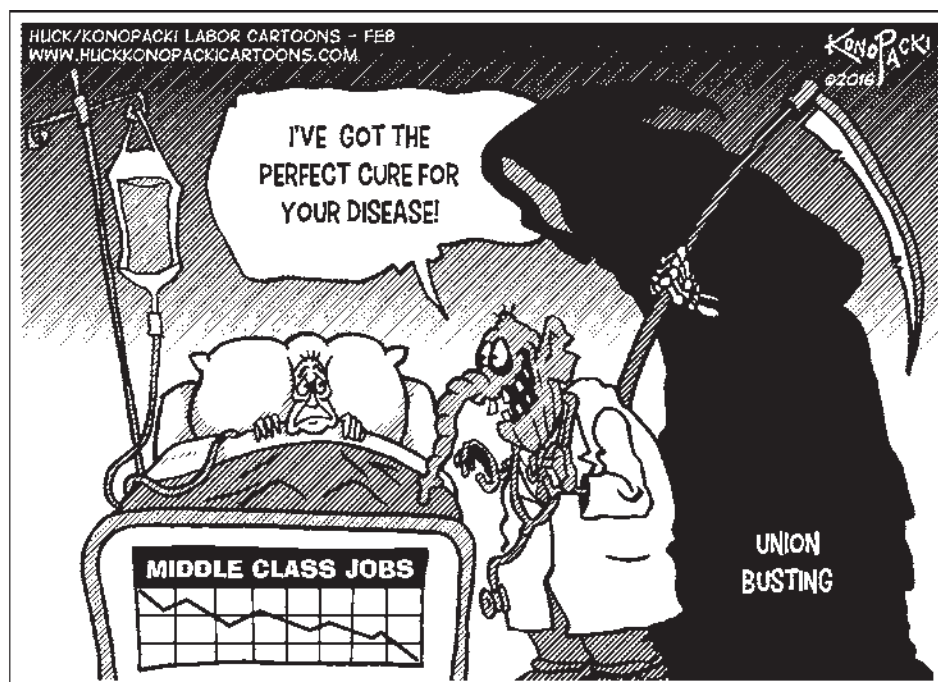
Transit — The Omnibus bill appropriates a total of \$11.8 billion for the FTA, an increase of \$870 million. Of this amount, \$9.347 billion is allocated from the Mass Transit Account (MTA). All formula programs and discretionary bus grants are appropriated at levels authorized in the FAST Act. Additionally, \$2.177 billion is provided

for Capital Investment Grants (New Starts). Of the total for Capital Investment Grants, \$1.250 billion is to go to all Full Funding Grant Agreement (FFGA) projects within the FTA. Consistent with the FAST Act, the maximum share for a New Starts FFGA has a ceiling of 60 percent. Additionally, \$353 million is dedicated for Small Starts projects, \$50 million for core capacity grants, and \$5 million is allocated for a new expedited project delivery pilot authorized in the FAST Act.

No General Funds were appropriated for FTA Transit Research programs, although the FAST Act funds a portion of those programs, including the Transit Cooperative Research Program (TCRP) from the MTA. FTA Administrative Expenses are appropriated at \$108 million, \$6.5 million of which is dedicated to the administration of the Section 5329 Public Transportation Safety program, and \$1 million is allocated to Transit Asset Management. The Washington Metropolitan Area Transit Authority (WMATA) is funded at the same level of \$150 million as in FY2015.

Rail — The Federal Railroad Administration (FRA) budget has an increase of \$52 million, rising to \$1.678 billion. Within this amount, Amtrak grant funding is maintained at \$1.39 billion. Of that amount, \$1.102 billion is dedicated to Capital and Debt Service Grants, and \$289 million is for Operating Subsidies. Several

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RRB Reports Performance under Customer Service Plan

The U.S. Railroad Retirement Board's Customer Service Plan promotes the principles and objectives of customer-driven quality service agency-wide. The RRB's plan lays out the standards and expresses the time frames in terms of when the agency is required to make its decision to pay or deny an application for benefits. The plan states specifically the level of service that customers can expect, and an important part of the plan is a pledge to keep beneficiaries informed of how well the RRB is meeting the plan's standards. The plan is reviewed and updated periodically as the agency compares its service with the best in business and considers feedback from its customers.

The following questions and answers provide information about the RRB's performance in the key areas of retirement applications, survivor applications, disability applications and payments, and railroad unemployment and sickness benefit applications and claims during fiscal year 2015 (October 1, 2014–September 30, 2015). Included are the customer service performance goals the RRB set for fiscal year 2015. These goals are revised annually based on such factors as projected workloads and available resources. Also included is information on the RRB's overall performance, as measured by the timeliness index developed by the agency.

1 How does the RRB measure overall timeliness for customer service?

The RRB developed an index to measure the overall timeliness of its customer service in four benefit areas: retirement applications; survivor applications; disability applications and payments; and railroad unemployment and sickness benefit applications and claims. This composite indicator, based on a weighted average, allows for a more concise and meaningful presentation of its customer service efforts in these benefit areas.

2 What standards were used in the area of survivor benefits in fiscal year 2015?

Under the RRB's standards, if you filed for a railroad retirement survivor annuity and you were not already receiving benefits as a spouse, the RRB will make a decision to pay, deny, or transfer your application to the Social Security Administration within 60 days of the beginning date of your annuity, or the date the application is filed, whichever is later. If you are already receiving a spouse annuity, the RRB will make a decision to pay, deny, or transfer your application for a survivor annuity to the Social Security Administration within 30 days of the first notice of the employee's death. If you filed for a lump-sum death benefit, the RRB will make a decision to pay or deny your applica-

tion within 60 days of the date the application is filed.

Of the cases considered during fiscal year 2015, the RRB made a decision within 60 days of the later of the annuity beginning date or the date the application was filed in 94.3 percent of the applications for an initial survivor annuity. In cases where the survivor was already receiving a spouse annuity, a decision was made within 30 days of the first notice of the employee's death in 95.5 percent of the cases. In addition, a decision was made within 60 days of the date the application was filed in 98.1 percent of the applications for a lump-sum death benefit. The combined average processing time for all initial survivor applications and spouse-to-survivor conversions was 13.5 days. The average processing time for lump-sum death benefit applications was 9.6 days.

The goals for fiscal year 2015 were 93 and 93.5 percent timeliness, respectively, for processing initial survivor applications and spouse-to-survivor conversions. For processing applications for lump-sum death benefits, the goal was 97.3 percent.

3 What standards were used by the RRB in fiscal year 2015 for processing applications for railroad retirement annuities and how well did it meet those standards?

Under the RRB's standards, if you filed an application for a railroad retirement annuity in advance, the RRB will make a decision to pay or deny the application within 35 days of the beginning date of your annuity. If you have not filed in advance, the RRB will make a decision within 60 days of the date you filed your application.

Of the cases processed during fiscal year 2015, the RRB made a decision within 35 days of their annuity beginning dates on 95.8 percent of applicants who filed in advance. The average processing time for these cases was 13.8 days.

Also, of the cases processed during fiscal year 2015, the RRB made a decision within 60 days of their filing dates on 96.5 percent of applicants who had not filed in advance. In these cases, the average processing time was 23.1 days.

The RRB's goals in fiscal year 2015 were 95 percent timeliness both for persons filing in advance and persons not filing in advance.

4 What were the standards for the handling of applications and claims for railroad unemployment and sickness benefits and how well did the RRB meet these standards?

Under the standards, if you filed an application for unemployment or sickness benefits, the RRB will release a claim form or a denial letter within 10 days of receiving your application. If you filed a claim for subsequent biweekly unemployment or sickness benefits, the RRB will certify a payment or release a denial letter within 10 days of the date the RRB receives your claim form.

During fiscal year 2015, 100 percent of unemployment benefit applications sampled for timeliness and 99.2 percent of sickness benefit applications processed met the RRB's standard. Average processing times for unemployment and sickness benefit applications were 0.7 and 3.5 days, respectively.

In addition, 99.9 percent of subsequent claims processed for unemployment and sickness benefits met the RRB's standard for fiscal year 2015. The average processing time for claims was 4.1 days.

The agency's goals for processing unemployment and sickness applications in fiscal year 2015 were, respec-

tively, 99.5 and 99.3 percent timeliness. The payment or decision goal for subsequent claims was 98.5 percent timeliness.

5 What standards were used by the RRB in fiscal year 2015 for processing applications for disability annuities under the Railroad Retirement Act?

Under the Customer Service Plan, if you filed for a disability annuity, the RRB will make a decision to pay or deny a benefit within 100 days of the date you filed your application. If it is determined that you are entitled to disability benefits, you will receive your first payment within 25 days of the date of the RRB's decision, or the earliest payment date, whichever is later.

Of the cases processed during fiscal year 2015, the RRB made a decision within 100 days of the date an application was filed on 31 percent of those filing for a disability annuity. The average processing time was 179.2 days. Of those entitled to disability benefits, 95.8 percent received their first payment within the Customer Service Plan's time frame. The average processing time was 9.5 days.

The agency's goals were 70 percent and 94 percent timeliness, respectively, for disability decisions and disability payments.

6 How did the RRB's performance in meeting its standards in fiscal year 2015 compare to its performance in fiscal year 2014?

Fiscal year 2015 performance met or exceeded fiscal year 2014 performance in the areas of railroad retirement applications, whether filed in advance or not, spouse-to-survivor conversions, disability payments, unemployment benefit applications, and unemployment and sickness benefit claims.

Average processing times in fiscal year 2015 equaled or improved fiscal year 2014 processing times in the areas of railroad retirement applications, whether filed in advance or not, initial survivor applications, spouse-to-survivor conversions, unemployment applications and disability payments. Also, for fiscal year 2015, except for the areas of sickness applications and disability decisions, the agency met or exceeded all of the customer service performance goals it had set for the year. ■

WASHINGTON REPORT

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provisions are included in the Amtrak appropriations, such as a requirement for overtime limits on employees, and prohibiting federal funding for routes where Amtrak offers a discount of 50 percent or more off of peak fares. While Amtrak maintained the current structure of how it is appropriated funds for this year, it will be required to make its future budgetary requests in the format prescribed in the FAST Act (with a carve out for the Northeast Corridor from the National Network). An additional \$50 million is appropriated for Rail Safety Grants, including \$25 million specifically for Positive Train Control (PTC) implementation.

No funds are provided for the state passenger rail grants authorized from the general fund under the FAST Act (Consolidated Rail Infrastructure and Safety Improvements, Federal-State Partnership for State of Good Repair, Restoration and Enhancement Grants). The FAST Act authorized \$200 million for these grants in FY2016. However, the bill provides no prohibition on the use of funds for the California High Speed Rail program, as was included in the bill as passed by the House earlier this year.

Tax Extenders — The significance of this “*tax extenders*” agreement is that it includes a number of permanent provisions, including a provision for the permanent extension of parity for the transit commuter benefit. Section 105 of the proposed legislation, the Extension of Parity for Exclusion from Income for Employer-Provided Mass Transit Parking Benefits, effectively raises the amount an employer can offer to their employees either as a tax-free fringe benefit or as a pre-tax option in order to pay for their mass transit commute to and from work. The provision increases the transit commuter tax benefits from the current \$130 to \$250, rising to \$255 the following year.

While the tax extenders package amends the statute to raise the level in law to \$175 per month, the Internal Revenue Code also includes a cost of living adjustment (COLA) [Section 132(f)(6)] that has been causing the benefit for parking to be raised by IRS rulings each year. The parking benefit has been \$175 in the statute, but due to the COLA, it is scheduled to go up to \$255 in 2016. By increasing the statutory level for the transit benefit from \$100 to \$175, the transit commuter tax benefit

would then be subject to all of the historic COLAs, thereby raising the transit benefit to \$250 in FY2015 and \$255 in FY2016. This is an historic agreement, putting to an end the annual fight to restore parity to transit commuter tax benefits.

The tax extenders agreement also extends the Alternative Fuels Tax Credit and the Alternative Fuels Property Credit for two years through FY2016. Small, medium, and large-sized transit agencies across the country benefit from these tax credits, especially the \$0.50 per gasoline gallon equivalent (GGE) tax credit offered to transit agencies fueling their vehicles with compressed (CNG) or liquefied (LNG) natural gas. These credits provide important offsets to transit agency fuel and operating costs, thereby supporting improved transportation services, as well as aiding in job retention. A two-year extension of these credits will assist those transit agencies that use CNG- and LNG-fueled vehicles to operate their systems safely and efficiently to carry millions to work, school, medical appointments, and other activities. ■

DID YOU KNOW?

Title 49: Transportation

§ 236.12 SPRING SWITCH SIGNAL PROTECTION; WHERE REQUIRED

Signal protection shall be provided for facing and trailing movements through spring switch within interlocking limits and through spring switch installed in automatic block signal, train stop, train control or cab signal territory where train movements over the switch are made at a speed exceeding 20 miles per hour, except that signal protection shall be required only with the current of traffic on track signaled for movement in only one direction.

NOTE: Does not apply to spring switch installed prior to October 1, 1950 in automatic block signal, automatic train stop, or automatic train control territory. ■

Rail Hazmat Training Programs

Rail Hazmat Chemical/Emergency Response Training Programs

The Rail Workers Hazardous Materials Training Program is pleased to announce the following HazMat/Chemical Emergency Response Training Program. This training addresses OSHA and DOT-required training in addition to procedures, different levels of response and worker protection in a hazardous materials emergency or release, weapons of mass destruction awareness and the incident command system. The training also provides completion of the OSHA 10-Hour General Industry Outreach requirements. The programs are delivered using interactive classroom instruction, small group activities, hands-on drills, and a simulated hazmat response in full safety gear.

The Rail Workers Hazardous Materials Training Program is funded to provide this training by a federal grant from the National Institute of Environmental

Health Sciences (NIEHS). This five-day hazmat training course will provide rail workers the essential knowledge, skills, and response actions in the case of an unintentional release. These tools will allow rail workers to protect themselves, their co-workers, and their communities.

The funding provides the following student expenses: travel, lodging, and meals. In addition, an incentive of \$175.00 per day is available to all training participants of these programs, except those who are able to secure regular pay through their employer, or are paid union officers. Training will be conducted at the Houston Fire Department's Val Jahnke Training Facility, 8030 Braniff Street, Houston, TX 77061.

Sunday 5:30 p.m. orientation, Friday departure
Upcoming Class: April 24–29, 2016.

Rail Hazmat-DOT Hazardous Material Instructor Training (Train the Trainer)

The Rail Workers Hazardous Materials Training Program prides itself on providing the most valuable worker safety training available, and most of it is delivered by peer trainers. A major goal of the Rail Program is to build a nationwide pool of skilled peer trainers to deliver hazardous materials training at their jobsites, union meetings, and in their communities.

The DOT-funded Hazardous Materials Instructor Training (HMIT) consists of an 8-hour hazardous materials awareness course followed by five days of train-the-trainer instruction, providing participants the skills and knowledge necessary to deliver hazardous materials training at the local and regional levels.

The funding provides the following student expenses:

Air travel, lodging and meals. In addition, an incentive of \$175 per day is available to all training participants of these programs, except those who are able to secure regular pay through their employer, or are paid union officers.

Programs begin Monday mornings and conclude Saturdays at 1 p.m. Students will be required to travel/arrive on Sundays to meet program start times.

To meet this training need, the Rail Program will conduct the following courses:

April 3–9, 2016 — Huntington, WV
May 15–21, 2016 — Chicago, IL

Additional course dates and locations to be announced,
for additional information or to schedule a program at your location:

Register now at the Rail Hazmat website: <http://railworkertrainingprogram.org> or www.rwhmtp.org

Contact Rail Workers Hazmat Training Program: (202) 624-6963 (M–F, 9 a.m. – 5 p.m. EST)

AFL-CIO NATIONAL BOYCOTTS



HOSPITALITY, TRANSPORTATION & TRAVEL

SUBMITTED BY UNITE HERE!

Please support the workers in these hotels by continuing to boycott the following properties:

- **ANCHORAGE, AK:** Hilton, Sheraton
- **CALIFORNIA:** Hilton LAX, Hyatt Regency Santa Clara, Hyatt Regency Sacramento, Hyatt Fisherman's Wharf, San Francisco, Hilton Long Beach, Embassy Suites Irvine, Le Meridien San Diego
- **RHODE ISLAND:** Renaissance Providence Downtown Hotel
- **SEATTLE:** Grand Hyatt Seattle and Hyatt at Olive 8 Seattle

SUBMITTED BY United Steelworkers (USW)

- **PALERMO PIZZA**

LEGAL

SUBMITTED BY American Federation of State, County & Municipal Employees

- **GLEASON, DUNN, WALSH & O'SHEA**
- **HARDIN, LAZARUS AND LEWIS, LLC**
- **MCDONALD, LAMOND, CANZONERI AND HICKERNELL**

OTHERS

SUBMITTED BY American Postal Workers Union

- **STAPLES retail stores**



The global Hyatt boycott has ended. However, there are a number of local Hyatts with continuing labor disputes.

To avoid current or future strikes, boycotts, and other labor disputes at Hyatts or any other location, we've listed below the most likely to be affected by a strike or boycott. Please call, write, or visit the relevant company or hotel.

To avoid the threat of labor conflict during our 2011-2012 season, we've provided contact information where you make a reservation or request a room. We suggest email requests for your convenience. Please call 800-842-8424 or visit www.hilton.com or www.hyatt.com for more information.

POLICY GUIDELINE FOR ENDORSEMENT OF AFFILIATES' BOYCOTTS

The AFL-CIO Executive Council has developed policy guidelines that regulate how the federation endorses boycotts undertaken by its affiliates. To get AFL-CIO sanction, boycotts should be directed at primary employers.

THE GUIDELINES INCLUDE THESE PROVISIONS:

- All requests to the national AFL-CIO for endorsement must be made by a national or international union.
- Any affiliated union with a contract in force with the same primary employer will be contacted by the AFL-CIO to determine whether there is an objection to the federation's endorsement.
- Affiliates will be asked to provide the AFL-CIO with background information on the dispute in a confidential information survey. Prior to endorsement of the boycott, the executive officers, or their designees, will meet with the national union's officers, or their designees, to discuss the union's strategic plan and timetable for the boycott, or other appropriate tactics, and to discuss the federation's role.
- The national or international union initiating the boycott is primarily responsible for all boycott activities; the AFL-CIO will provide supplemental support.
- Boycotts will be carried on the AFL-CIO national boycott list for a period of one year, and the endorsement will expire automatically at the end of that time. National and international unions may request one-year extensions of the listings for actions where an organizing or bargaining campaign is actively in place.

(These guidelines were adopted by the AFL-CIO Executive Council in April 2011.)



2016 UNION MADE TIRES

HOW SAFE ARE YOUR TIRES THIS WINTER?

Consumer Reports says that tires can “lose their footing long before they are worn out.” If your tires need replacing, you can ensure that you are purchasing union-made-in-the-USA tire by following looking for the DOT BE code.

The U.S. Department of Transportation (DOT) has made it very easy to find union-made tires by requiring that each tire carry a code that shows the company and the location of the plant that manufactured the tire. DOT requires that each tire sold in the United States carry a code that looks something like this: DOT BE XX XXX XXX. The two letters or numbers that follow the DOT identify a particular factory as listed below.

- BE: B.F. Goodrich, Tuscaloosa, Ala.
- BF: B.F. Goodrich, Woodburn, Ind.
- VE, YE, YU, 8B: Bridgestone/Firestone, Des Moines, Iowa
- D2, E3, W1, Y7: Bridgestone/Firestone, La Vergne, Tenn.
- 2C, 4D, 5D: Bridgestone/Firestone, Morrison, Tenn.
- UP: Cooper, Findlay, Ohio
- UT: Cooper, Texarkana, Ark.
- JU, PC, UK: Goodyear, Medicine Hat, Alberta
- JJ, MD, PU: Goodyear, Gadsden, Ala.
- DA: Dunlop, Buffalo, N.Y.
- JN, MJ, PY: Goodyear, Topeka, Kan.
- JE, MC, PT: Goodyear, Danville, Va.
- JF, MM, PJ: Kelly-Springfield, Fayetteville, N.C.
- CF: Titan Tire, Des Moines
- JH, MN, PK: Titan Tire, Freeport, Ill.
- B plus serial #: Titan Tire, Bryan, Ohio
- CC: Yokohama Tire, Salem, Va.

All tires made at the above locations are made by members of the United Steelworkers (USW). Make sure you use this easy-to-follow guide to buy union-made tires.

Worker Wrongfully Terminated After Workplace Injury

KANSAS CITY, Missouri — RCL Wiring LP, which operates as Idaho & Sedalia Transportation Company, harassed and terminated a signal shop technician in retaliation for reporting a work-related injury in violation of the Federal Railroad Safety Act, U.S. Department of Labor Occupational Safety and Health Administration investigators determined. OSHA has ordered the company to give the employee his job back and pay more than \$332,469 in back wages and damages, as well as reasonable attorney's fees.

Investigators determined the Sedalia-based transportation company disciplined the five-year employee after he reported injuries sustained Feb. 1, 2014. After the technician asked the company for reimbursement of medical co-payments, Idaho & Sedalia required him to submit a second injury report, and then threatened to discipline him for filing it late. Without a thorough investigation, the company terminated him on June 12, 2014, for allegedly making harassing and threatening statements.

OSHA ordered Idaho & Sedalia to reinstate the technician and pay him \$154,749 in back wages, plus interest, minus applicable employment deductions, as well as \$177,720 in punitive and compensatory damages and reasonable attorney's fees. The company also must remove disciplinary information from the employee's personnel record and provide information about whistleblower rights to its employees. Prior to this incident, the employee had never been disciplined.

"It is disheartening that this employee was ultimately terminated because he exercised his rights and reported a work-related injury. Even more egregious is that, without a thorough investigation, the company accused a loyal employee of making harassing and threatening statements to other workers," said Marcia P. Drumm, OSHA's regional administrator in Kansas City. *"Whistleblower*

protections play an important role in keeping workplaces safe. It is illegal to discipline an employee for reporting an injury and seeking medical attention, and it puts everyone at risk."

Any of the parties in this case can file an appeal with the department's Office of Administrative Law Judges.

OSHA enforces the whistleblower provisions of the FRSA and 21 other statutes protecting employees who report violations of various airline, commercial motor carrier, consumer product, environmental, financial reform, food safety, health care reform, nuclear, pipeline, worker safety, public transportation agency, railroad, maritime and securities laws.

Employers are prohibited from retaliating against employees who raise various protected concerns or provide protected information to the employer or to the government. Employees who believe that they have been retaliated against for engaging in protected conduct may file a complaint with the Secretary of Labor to request an investigation by OSHA's Whistleblower Protection Program. Detailed information on employee whistleblower rights, including fact sheets, is available at <http://www.whistleblowers.gov>. ■

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit <http://www.osha.gov>.

The U.S. Department of Labor does not release the names of employees involved in whistleblower complaints.

Alcohol and Drug Testing

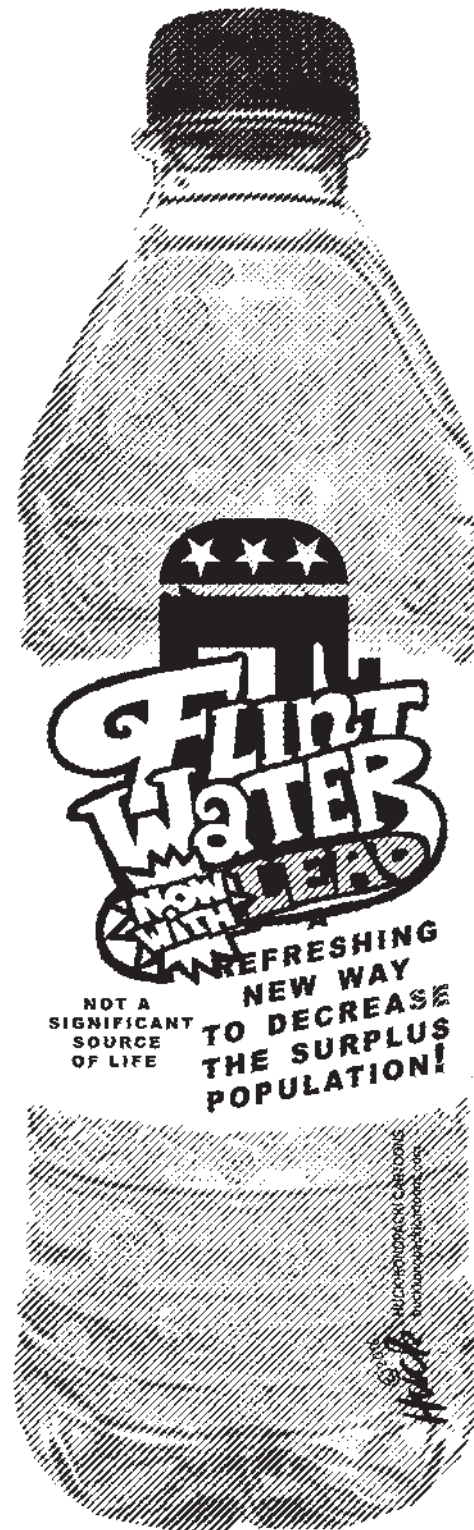
MINIMUM RANDOM TESTING RATES FOR 2016 REMAIN UNCHANGED

The Federal Railroad Administration (FRA) announced the minimum random testing rates for railroad workers in the year 2016.

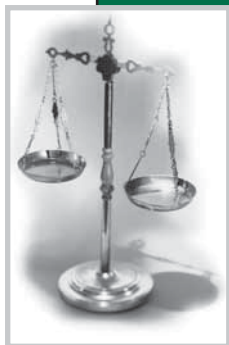
Data collected from Management Information System annual reports, shows the rail industry's random drug testing positive rate remained below 1.0 percent for the applicable two calendar years. The Federal Railroad Administrator has determined that the minimum annual random drug testing rate for the period January 1, 2016, through December 31, 2016, will remain at 25 percent of covered railroad employees. In addition, because the industry-wide random alcohol testing violation rate has remained below 0.5 percent for the last two years, the Administrator has determined that the minimum random alcohol testing rate will remain at 10 percent of covered railroad employees for the period January 1, 2016, through December 31, 2016.

BRS members need to be aware that this notice sets the minimum random testing rates, and the railroads remain free under their own policies to conduct random testing at higher rates. The BRS reminds its members that many railroads have a zero tolerance policy when it comes to reporting to work under the influence of drugs or alcohol. In many cases, a positive test result will result in being placed out of service. ■

DOT Agency	Random Drug Testing Rate	Random Alcohol Testing Rate
Federal Motor Carrier Safety Administration (FMCSA)	50%	10%
Federal Aviation Administration (FAA)	25%	10%
Federal Railroad Administration (FRA)	25%	10%
Federal Transit Administration (FTA)	25%	10%
Pipeline and Hazardous Materials Safety Administration (PHMSA)	25%	Not Applicable
United States Coast Guard (USCG)	25%	Not Applicable



BRS DESIGNATED COUNSEL



When Signalmen suffer a work-related injury or illness, BRS members or their families are encouraged to determine their rights and benefits under the Federal Employers' Liability Act before agreeing to any settlement with the railroad employer. The Brotherhood of Railroad Signalmen has designated the attorneys listed in this directory to serve as qualified counsel for BRS members in employee injury cases covered by FELA.

Attorneys are listed by state and are designated to serve BRS members living or working in the general region of their offices. Designation of FELA counsel is by authority of the BRS Executive Council only.

BRS members are encouraged to provide information regarding FELA cases, including criticism or commendations regarding the service of designated counsel, and information on injuries and settlements. This information, which will be used in the continuing evaluation of this program, should be sent to W. Dan Pickett, President, Brotherhood of Railroad Signalmen, 917 Shenandoah Shores Road, Front Royal, VA 22630-6418.

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CONTINUOUS MEMBERSHIP

The Brotherhood of Railroad Signalmen, in recognition of BRS members' contributions to the Signalman's craft and their dedication to the principle of trade unionism, has established a Continuous Service program to honor longtime BRS members. Continuous Service lapel pins are presented to members every five years, beginning with their 25th year of membership.



The following is a list of the active members who recently received Continuous Service pins in recognition of their years as BRS Members:

45 YEARS OF SERVICE

PP Atwood 72

40 YEARS OF SERVICE

DL Jackson 20

DA Steinbach 20

JD Colicchio 35

ML Foster 42

CP Spalding 49

DR Stephens 49

ER Barboza 62

EW Brown 72

MQ Ives 72

JR Vaught 77

J Garza 99

JL Christopherson 111

DM Love 123

TA Hoppe 141

KL Lane 141

GM Jones 183

DW Poole 188

KE Fondal 206

GP Miner, Jr. 206

35 YEARS OF SERVICE

RC Corbett 2

JD Yates 3

SP Munson 8

MA Stecki 8

G Hallberg 9

JE Gibson 10

35 YEARS OF SERVICE

JR Gonzales 16

M Jackson, Jr. 16

C Roberts 16

CB Sutton, Jr. 16

JR Flores 19

DM Foral 24

CL Wimmer 24

DW Wood 31

JT Burgin 49

LC Hopson 55

SJ Risley 55

JJ Stranimier 55

KT Abner 65

KE Derossett 72

GR Moody 72

JW Fisher 99

AE Henry 99

GD Ryan 111

FJ Chesner 119

KE Fraley 136

A Brashler 183

JK Powell 185

AG Flores, Jr. 206

SE Hoover 206

JD Buchanan 228

RC Anderson 229

30 YEARS OF SERVICE

MT Van Becelaere 8

ML Markus 35

30 YEARS OF SERVICE

BW Bear 49

PA Marsala 56

JS O'Connor 56

DD Dalgarn 72

TM Cox 77

DC Nelson 77

DL Roach 77

RE Smith 77

J Thornsberry 77

JM Trudgeon 77

JW Thomas, Jr. 84

KH Wohltman 84

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FH Lett 110

JC Havlik 129

CD Dardenne 141

SV Oller 141

JN Panos 143

DA Christian 183

DB Kirsch 206

GA Moller 213

25 YEARS OF SERVICE

SL Myer 1

BW Belka 8

JD Baker 20

MH Osborn 20

RG Stansberry 20

JL Eagle, Jr. 31

CW Smith 33

DW Crawford 34

ED Herlong 49

JD King, Jr. 49

25 YEARS OF SERVICE

P McCadden 56

TW Lankford 77

JB Wright 77

JP Fazekas 102

JD Justinger 102

H Kremp 102

MW Rhinehart 110

BC Lucas 141

DR Jackson 154

TL Ray 185

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Title 49: Transportation

§ 236.58 TURNOUT, FOULING SECTION

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OBITUARIES

DEAN A. ANDROY—retired member of **LOCAL 43**. Brother Androy retired in 2010 after 32 years of service with the Chicago & Northwestern Railway and Union Pacific Railroad. Brother Androy was a Signal Gang Foreman at Missouri Valley, Iowa, at the time of his retirement.

GARLAND L. "SAM" BASS—retired member of **LOCAL 214**. Brother Bass retired in 2001 after 40 years of service with the Detroit, Toledo & Ironton; Grand Trunk Western; and Canadian National Railroads. Brother Bass was a Signal Maintainer at Springfield, Ohio, at the time of his retirement. Brother Bass was also a member of the Masonic Lodge in Springfield, Ohio.

HENRY F. BENSON—retired member of **LOCAL 102**. Brother Benson retired in 1983 after 30 years of service with the Pennsylvania Railroad and Amtrak. Brother Benson was a Signal Maintainer at Sunnyside Yard in Queens, New York, at the time of his retirement.

FRANK J. BURCHETT—active member of **LOCAL 126**. Brother Burchett had 20 years of service with the Southern Pacific and Union Pacific Railroads. Brother Burchett was a Signal Maintainer at Phoenix, Arizona, for most of his career.

RAY M. CISNEROS—active member of **LOCAL 161**. Brother Cisneros had 4 years of service with the BNSF Railway Company. Brother Cisneros was a Signalman on a New Mexico Mobile Construction Gang at the time of his passing.

DAVID L. CLAPP—retired member of **LOCAL 129**. Brother Clapp retired in 2010 after 41 years of service with the BNSF Railway Company. Brother Clapp was a Signal Maintainer at Holdenville, Oklahoma, at the time of his retirement.

CHARLES E. COLLINS, SR.—retired member of **LOCAL 80**. Brother Collins retired in 1996 after 44 years of service with the New York Central and Penn Central Railroads and Conrail. Brother Collins was a Signal Maintainer at Fonda, New York, at the time of his retirement.

ROBERT DEAN—retired member of **LOCAL 123**. Brother Dean retired in 1985 after 23 years of service with the Chessie System. Brother Dean was a Signal Maintainer at Flint, Michigan, at the time of his retirement.

MONROE A. DODSON—retired member of **LOCAL 72**. Brother Dodson retired in 2008 after 37 years of service with the Missouri Pacific and Union Pacific Railroads. Brother Dodson was a Signal Maintainer at Van Buren, Arkansas, at the time of his retirement.

DENNIS J. DOYLE—retired member of **LOCAL 230**. Brother Doyle retired in 2009 after 38 years of service with the Penn Central and Metro-North Railroads, and CSX Transportation. Brother Doyle was a Signal Foreman at Hudson, New York, at the time of his retirement.

RONALD G. EATON—retired member of **LOCAL 119**. Brother Eaton retired in 2010 after 30 years of service with BNSF Railway Company. Brother Eaton was a Signal Maintainer at Casper, Wyoming, at the time of his retirement.

BRYAN L. FOX—retired member of **LOCAL 68**. Brother Fox retired in 2005 after 42 years of service with the Norfolk Southern Railway. Brother Fox was a Signal Maintainer at Burns Harbor, Indiana, at the time of his retirement.

GILBERT F. HARSHBARGER—retired member of **LOCAL 166**. Brother Harshbarger retired in 1983 after 42 years of service with the Norfolk Southern Railway. Brother Harshbarger was a Signal Maintainer at Hammond, Indiana, at the time of his retirement. Brother Harshbarger is a U.S. Army Veteran who served during WWII.

ROBERT S. HUDSON—retired member of **LOCAL 229**. Brother Hudson retired in 2005 after 37 years of service with the Western Pacific and Union Pacific Railroads. Brother Hudson was a Signal Inspector at Stockton, California, at the time of his retirement.

CECIL G. INMAN—retired member of **LOCAL 110**. Brother Inman retired in 1979 after 36 years of service with the Southern Railroad. Brother Inman was an Assistant Signal Maintainer at Sheffield, Alabama, at the time of his retirement. Brother Inman served as Local Chairman.

JOSEPH C. KAUFMAN—retired member of **LOCAL 104**. Brother Kaufman retired in 1997 after 38 years of service with the Southern Pacific Railroad. Brother Kaufman was a Signal Maintainer at Los Angeles, California, at the time of his retirement. Brother Kaufman served as Local President.

EDWARD H. KLEINSCHMIDT, JR.—retired member of **LOCAL 154**. Brother Kleinschmidt retired in 1997 after 35 years of service with the Burlington Northern Railroad. Brother Kleinschmidt was a Signal Maintainer at Brainerd, Minnesota, at the time of his retirement.

HARLAND D. KRATZER—retired member of **LOCAL 212**. Brother Kratzer retired in 1983 after 42 years of service with the New York Central and Penn Central Railroads and Conrail. Brother Kratzer was a Retarder Technician at Indianapolis, Indiana, at the time of his retirement.

CHARLES V. LEIST—retired member of **LOCAL 136**. Brother Leist retired in 1988 after 38 years of service with the Chesapeake & Ohio Railway and CSX Transportation. Brother Leist was a Signalman at Barboursville, West Virginia, at the time of his retirement.

RONALD J. MARKO—retired member of **LOCAL 226**. Brother Marko retired in 2009 after 41 years of service with the Milwaukee Road, Soo Line, and Canadian Pacific Railroads. Brother Marko was a Signal Maintainer at St. Paul, Minnesota, at the time of his retirement.

PAT S. MAYO—retired member of **LOCAL 136**. Brother Mayo retired in 1988 after 38 years of service with the Chesapeake & Ohio Railway, Chessie System, and CSX Transportation. Brother Mayo was a Gang Foreman at Huntington, West Virginia, at the time of his retirement.

BETHEL J. MCCOMAS—retired member of **LOCAL 136**. Brother McComas retired in 1992 after 43 years of service with the Chesapeake & Ohio Railway and CSX Transportation. Brother McComas was a Signal Inspector at Huntington, West Virginia, at the time of his retirement. Brother McComas served as Local Chairman.

GALE B. MCVEY—retired member of **LOCAL 123**. Brother McVey retired in 1997 after 20 years of service with the Chesapeake & Ohio Railway and CSX Transportation. Brother McVey was a Signal Maintainer at Livonia, Michigan, at the time of his retirement.

WAYNE T. MELANCON—retired member of **LOCAL 99**. Brother Melancon retired in 2011 after 44 years of service with the Southern Pacific and Union Pacific Railroads. Brother Melancon was a Signal Technician at Beaumont, Texas, at the time of his retirement.

ROGER J. OLSON—retired member of **LOCAL 226**. Brother Olson retired in 1991 after 45 years of service with the Soo Line Railroad. Brother Olson was a Signal Maintainer at South Minneapolis, Minnesota, at the time of his retirement.

RICHARD W. PARKER—retired member of **LOCAL 81**. Brother Parker retired in 2005 after 43 years of service with the Illinois Central Railroad and Canadian National Railway. Brother Parker was a Signal Maintainer at Kankakee, Illinois, at the time of his retirement.

RICHARD A. PLATT—retired member of **LOCAL 5**. Brother Platt retired in 1997 after 40 years of service with the New York, New Haven & Hartford Railroad and Amtrak. Brother Platt was a CSC Foreman at Providence, Rhode Island, at the time of his retirement.

DALE J. POLETTI—retired member of **LOCAL 2**. Brother Poletti retired in 2002 after 42 years of service with the Pennsylvania Railroad and Norfolk Southern Railway. Brother Poletti was a Signal Maintainer at Canton, Ohio, at the time of his retirement.

JAMES W. PURCELL—retired member of **LOCAL 212**. Brother Purcell retired in 1980 after 41 years of service with the New York Central Railroad and Conrail. Brother Purcell was a Signal Inspector at Mattoon, Illinois, at the time of his retirement.

OTTO RAHN, JR.—retired member of **LOCAL 28**. Brother Rahn retired in 1987 after 44 years of service with the New York Central Railroad and Conrail. Brother Rahn was a C&S Maintainer at Trenton, Michigan, at the time of his retirement.

EUGENE E. RICHARDSON—retired member of **LOCAL 106**. Brother Richardson retired in 1981 after 33 years of service with the Pennsylvania and Penn Central Railroads, Conrail, and Amtrak. Brother Richardson was a Maintainer Test at Harrisburg, Pennsylvania, at the time of his retirement. Brother Richardson served as Recording-Financial Secretary.

B.L. ROARK—retired member of **LOCAL 110**. Brother Roark retired in 1993 after 34 years of service with the Southern Railroad and Norfolk Southern Railway. Brother Roark was a Traveling Signal Maintainer at Burlington, North Carolina, at the time of his retirement. Brother Roark served as Local Trustee.

JOSEPH W. RYAN—retired member of **LOCAL 93**. Brother Ryan retired in 1992 after 36 years of service with Conrail. Brother Ryan was a Signal Foreman at Dewitt, New York, at the time of his retirement. Brother Ryan served as Local Chairman and Local Trustee.

J.D. SHIRES—retired member of **LOCAL 72**. Brother Shires retired in 1990 after 41 years of service with the Kansas, Oklahoma & Gulf Railway and the Missouri, Kansas & Texas and Union Pacific Railroads. Brother Shires was a Signal Maintainer at Allen, Oklahoma, at the time of his retirement.

DARLIE SMITH—retired member of **LOCAL 52**. Brother Smith retired in 2005 after 38 years of service with the Pennsylvania Railroad and Norfolk Southern Railway. Brother Smith was a Signal Maintainer at Middletown, Ohio, at the time of his retirement.

VERNIE E. SMITH—retired member of **LOCAL 16**. Brother Smith retired in 1989 after 40 years of service with CSX Transportation. Brother Smith was a Signal Maintainer at Lumberton, North Carolina, at the time of his retirement. Brother Smith is a U.S. Navy Veteran.

JAMES D. STAFFEY—retired member of **LOCAL 49**. Brother Staffey retired in 2009 after 38 years of service with the Norfolk Southern Railway. Brother Staffey was a Signal Maintainer at Williamstown, Kentucky, at the time of his retirement.

PAUL O. STIFFLER—retired member of **LOCAL 40**. Brother Stiffler retired in 1989 after 48 years of service with the Pennsylvania and Penn Central Railroads, and Conrail. Brother Stiffler was a C&S Maintainer at Cresson, Pennsylvania, at the time of his retirement.

WILLIAM V. SWAYZE—retired member of **LOCAL 155**. Brother Swayze retired in 2006 after 41 years of service with Union Pacific Railroad. Brother Swayze was a Signal Maintainer at Boardman, Oregon, at the time of his retirement. Brother Swayze served as Local President and Recording-Financial Secretary.

RONALD J. WAUGH—active member of **LOCAL 14**. Brother Waugh had 5 years of service with the Grand Trunk Western Railroad. Brother Waugh was a Lead Signalman on the GTW District PTC Construction Gang, at the time of his passing.

E.W. WILLIAMS—retired member of **LOCAL 110**. Brother Williams retired in 1983 after 37 years of service with the Southern Railroad. Brother Williams was a Signal Maintainer at Sevier, Tennessee, at the time of his retirement. Brother Williams served as Assistant General Chairman and Local Chairman.

GARY L. WOOD—retired member of **LOCAL 106**. Brother Wood retired in 2001 after 25 years of service with Amtrak. Brother Wood was a Signal Maintainer at Leola, Pennsylvania, at the time of his retirement.

JOSEPH C. WOOLDRIDGE, JR.—retired member of **LOCAL 130**. Brother Wooldridge retired in 1991 after 38 years of service with the Chicago & Northwestern Railway. Brother Wooldridge was a Signal Maintainer at Chicago, Illinois, at the time of his retirement.

Editor's Note:

Please notify Grand Lodge of the passing of retired BRS members.

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WORKING. FOR SAFE JOBS

AFL-CIO

The Occupational Safety and Health Act and the Mine Safety and Health Act promise workers the right to a safe job. Unions and our allies have fought hard to make that promise a reality—winning protections that have made jobs safer and saved lives.

But our work is not done. Each year, thousands of workers are killed and millions more suffer injury or illness because of their jobs. Many workplace hazards are unregulated. Workers who report dangerous conditions or injuries are fired or disciplined. Employers contract out unsafe work to try to avoid responsibility. At the same time, good jobs are disappearing, workers' wages are stagnant and inequality is growing.

Business groups have launched an all-out assault on working people, seeking to roll back existing protections and rights, and to block new safeguards. We have fought back, joining with worker centers, local

activists and other partners to defend and advance these hard-won gains.

We have worked to win a stronger coal dust standard for miners and a new rule to protect workers from deadly silica, which soon will be finalized, along with stronger anti-retaliation protections for workers who report job injuries. Next on our agenda are new safeguards on beryllium, infectious diseases and combustible dust.

On April 28, the unions of the AFL-CIO observe Workers Memorial Day to remember those who have suffered and died on the job and to renew the fight for safe jobs. This year we will come together to call for work in this country that is safe and healthy and pays fair wages. We will celebrate the victories won by working people and commit to fighting until all workers have the freedom to form unions without the threat of retaliation. Please join us.

APRIL 28

OBSERVE WORKERS MEMORIAL DAY.



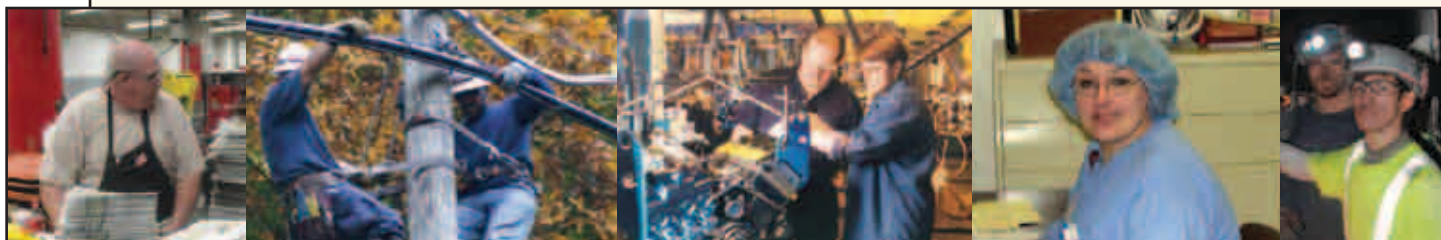
MEMBER PHOTOS



Local 18 Retirement Celebration



Several recent Local 18 retirees pictured during a 2015 retirement celebration. L-R: Marcus Brunswick, Tony Garcia, Jim Jester, and Fran Wynne.



BUY UNION

14.6 MILLION NUMBER OF U.S. UNION MEMBERS

Every time we buy union-made products and services we support good middle-class jobs. With more than 14 million union members in the U.S., our buying power can help support and sustain the middle-class.

WAGES

The median weekly earnings of union workers are 28% more than non-union workers

NON-UNION \$717

UNION \$917

Median Weekly Earnings

UNION WORKERS MAKE 28% MORE THAN NON-UNION WORKERS

LIVE UNION

PAID VACATION

Union workers get

28%

more days off paid vacation, on average than non-union workers.

Union workers are more likely to have health and retirement

BENEFITS

than non-union counterparts.



LIVE BETTER

MEMBER PHOTOS



Local 183 Signal Gang

BRS Local 183 Signal Gang using a boom truck to set a signal bungalow at 159th Street in Orland Park, Illinois, on Metra's Southwest Service Line. Ricardo Haddon, Moses Tilmon, George Daniels, Justin Watkins, Terrance Klingensmith, and Jason Bird.



MEETING PHOTOS



Local 111 Meeting

Ogden, UT



MEETING PHOTOS



Local 136 Meeting

Huntington, WV



PHOTO CONTEST

WINNERS FOR 1st Quarter 2016



Pictured L-R: Greg Sieren, Signal Technician and Local 226 Trustee with Keith Huebner, Signal Technician and Local 226 General Chairman, "Price Checking" an HXP-3 circuit card for entry into the Configuration Management System at the Menomonee Bridge Interlocking on the Soo Line in Milwaukee, Wisconsin.

Photo taken by Local 226 Vice President Pat Burns, and submitted by Keith Huebner.

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WIN**

Submit your
photo(s) to:
tme@brs.org

If we use your
photo in the
**Signalman's
Journal**
you will be
automatically
entered in the
yearly Photo
Contest.

Prizes

**PRIZES
AWARDED:**

Three gift
certificates to the
Signalman's Store
valued at
\$50-\$100

PHOTO CONTEST

WINNERS FOR 1st Quarter 2016

Rob Kennicott, a member of Local 155, works in the trench, while Kurt Shlautman, a member of Local 111, operates a backhoe to prepare for the installation of signal cable for the Chicago-St. Louis high-speed rail project.



Photo submitted by Ron Behrens, member of Local 8 and the General Secretary-Treasurer for the Union Pacific General Committee.



Assistant Signalmen, Justin Jordan and Michael Cuellar, both of Local 119, working on a signal gang in McCook, Nebraska.

Photo submitted by Dan Huss, Local Chairman and First Vice President of Local 119.



UNION SKILLS. OUTDOOR PASSION. COMMON PURPOSE.



The strength of America's labor movement rises from solidarity based on mutual support, real world craftsmanship and organization. With those three things, mountains can be moved – or parks can be improved, bridges can be built and trails can be made. The Union Sportsmen's Alliance unites union members who love the great outdoors and are willing to volunteer their unique trade skills to help protect our outdoor heritage for future generations through hands-on conservation projects.

Be part of the movement.

JOIN THE UNION SPORTSMEN'S ALLIANCE
WWW.UNIONSPORTSMEN.ORG

